

SENATE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

February 20, 2019

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

SB19-085 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 4, strike lines 16 through 18.
- 2 Renumber succeeding subsection accordingly.
- 3 Page 5, line 10, strike "WORK," and substitute "WORK, REGARDLESS OF JOB
- 4 TITLE, BASED ON A COMPOSITE OF SKILL; EFFORT, WHICH MAY INCLUDE
- 5 CONSIDERATION OF SHIFT WORK; AND RESPONSIBILITY,".
- 6 Page 5, line 14, strike "OR".
- 7 Page 5, after line 16 insert:
 - 8 "(IV) THE GEOGRAPHIC LOCATION WHERE THE WORK IS
 - 9 PERFORMED;
 - 10 (V) EDUCATION, TRAINING, OR EXPERIENCE TO THE EXTENT THAT
 - 11 THEY ARE REASONABLY RELATED TO THE WORK IN QUESTION; OR
 - 12 (VI) TRAVEL, IF THE TRAVEL IS A REGULAR AND NECESSARY
 - 13 CONDITION OF THE WORK PERFORMED;".
- 14 Page 7, line 5, strike "SIX" and substitute "THREE".
- 15 Page 7, after line 14 insert:
 - 16 "(4) NOTHING IN THIS SECTION PREVENTS AN AGGRIEVED PERSON

1 FROM FILING A CHARGE WITH THE COLORADO CIVIL RIGHTS DIVISION
2 PURSUANT TO SECTION 24-34-306."

3 Page 8, line 9, strike "NEED" and substitute "SHALL".

4 Page 8, strike lines 10 and 11 and substitute "AWARD LIQUIDATED
5 DAMAGES."

6 Page 9, strike lines 15 through 19 and substitute "ALL EMPLOYEES."

7 Page 9, line 21, strike "THE".

8 Page 11, strike lines 3 through 11 and substitute:

9 **"SECTION 9. Act subject to petition - effective date -**
10 **applicability.** (1) This act takes effect January 1, 2021; except that, if a
11 referendum petition is filed pursuant to section 1 (3) of article V of the
12 state constitution against this act or an item, section, or part of this act
13 within the ninety-day period after final adjournment of the general
14 assembly, then the act, item, section, or part will not take effect unless
15 approved by the people at the general election to be held in November
16 2020 and, in such case, will take effect January 1, 2021, or on the date of
17 the official declaration of the vote thereon by the governor, whichever is
18 later."

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